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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,429	10/19/2001	Andrew J. Zipprich	D/A1588	4610

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EXAMINER

CARBONELLO, MICHAEL J

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/042,429	ZIPPRICH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael Carbonello	2622	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10/19/2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/10/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Specification***

1. The specifications were received on 10/19/2001. The examiner accepts these specifications drawings.

### ***Drawings***

2. The amended drawings were received on 04/10/2002. The examiner accepts these amended drawings.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 7, 10-15, 18, 20 –22, 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung in view of Hosokawa et al.
4. Regarding claims 1, 12, and 22 Kung discloses in his only figure, "Computer System [16], Hard Disk [15], File [20], User Enters a Delete Command [11], Secure Delete [12]." Using the broadest reasonable interpretation, the computer system [11] is a type of housing; a hard disk [15] is a type of storage medium, which is stored within the housing as shown in the figure. Further the Delete Command [11], and Secure Delete [12] comprise a secure storage medium eraser that erases a data file on the storage medium in response to a trigger.

Kung, however, does not disclose, “a report generator that can create a report on a status of a triggered erasure in response to predetermined criteria, and a report setup interface through which the predetermined criteria can be set.” Hosokawa et al discloses in column 3, lines 32-33; “FIG. 15 is an example of the structure of a data deletion notification.”

With respect to claim 1, 12 and 22 Hosokawa et al discloses in figure 1, an External Interface unit [5] connected to a Host Computer [8]. Hosokawa et al further teaches in column 1, lines 57-62, “An object of the present invention is to provide a communication system and a communication apparatus which is connectable with an external device such as a host computer, and which performs data communication with another communication apparatus, and a communication control method for controlling the communication.” Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art to combine Kung with Hosokawa et al to produce a device that has a storage medium that can be securely erased, and a report about said erasure can be generated. And in claim 12, the addition of a report setup interface. The motivation is that the generated report can serve as a record of the file erasure, while the erasure itself provides a method by which confidential data stored in said medium can be removed forever.

5. Regarding claim 2, Kung and Hosokawa et al discloses the methods and devices described above. Hosokawa et al discloses in column 9, lines 35-37; “FIG. 15 illustrates a format of a data deletion notification command which is transmitted from the communication terminal 10 to the host computer 8.” Using

the broadest reasonable interpretation of a substrate as "The material on which something is printed," and the broadest reasonable interpretation of host computer to include along with the computer a screen or monitor. The Monitor of the host computer would be a type of substrate on which the report is printed. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the report created by the report generator is printed on substrate. The motivation is that printing on a substrate provides documentation and confirmation that a secure erasure has been completed.

6. Regarding claim 3, Kung and Hosokawa et al discloses the methods and devices described above. Kung discloses in his only figure a Computer System [16]. Using the broadest reasonable interpretation of a computer system to include along with the main computing unit a screen or monitor. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the report is printed by a printing device in which the storage medium is being housed. The motivation is that the report generator provides a message on the local device on which the file was erased to provide immediate documentation about said file erasure.

7. Regarding claim 4, Kung and Hosokawa et al discloses the methods and devices described above. Kung does not disclose, "wherein the report is printed by a printing device in communication with the secure storage medium eraser." Hosokawa et al disclosed in column 9, lines 35-37; "FIG. 15 illustrates a format of a data deletion notification command which is transmitted from the

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communication terminal 10 to the host computer 8." Using the broadest reasonable interpretation the communication terminal would be a method wherein the report is printed by a device in communication with the medium eraser. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the report is printed by a printing device that is in communication with medium eraser. The motivation is that the report generator is able to display the reports on other devices, such as networked computers, printers or similar devices, to allow more other people to be notified that a file was securely erased.

8. Regarding claims 5 and 7, Kung and Hosokawa et al discloses the methods and devices described above. With respect to claim 5, Kung does not disclose, "wherein the report created by the report generator is an e-mail message." Nor does he disclose, "wherein the erase trigger is set by a user and the e-mail message is sent to the user setting the erase trigger." Hosokawa et al disclosed in column 9, lines 35-37; "FIG. 15 illustrates a format of a data deletion notification command which is transmitted from the communication terminal 10 to the host computer 8." With respect to claim 5, using the broadest reasonable interpretation on an email as, "messages that are sent electronically via computer networks" The data deletion notification, which is sent via the communication terminal, would be viewed type of email.

With respect to claim 7; the messages sent via the communications terminal could be sent to the user who triggered the erasure command. Thus, it would have been obvious at the time of invention to one of ordinary skill in the art

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to create a device wherein the report created by the report generator is an e-mail message, and said e-mail is sent to the person who is commanding the erasure. The benefit is that an email message is quick and reliable method of transferring data via a communications network from one location to another that can be set up prior to the erasure and go be sent to a large number of people.

9. Regarding claim 10, Kung and Hosokawa et al discloses the methods and devices described above. Kung does not disclose, "wherein the predetermined criteria include at least one of an indication of whether a report should be created, a type of report to be generated, and a destination of the report."

Hosokawa et al disclosed in column 9, lines 35-37; "FIG. 15 illustrates a format of a data deletion notification command which is transmitted from the communication terminal 10 to the host computer 8." With respect to claim 10, using the broadest reasonable interpretation of the phrase, "deletion notification command which is transmitted from the communication terminal 10 to the host computer 8," the host computer would be an example of a destination of the report and this function would also meet the requirement of including at least one of the predetermined criteria. Thus, it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the criteria of including as least one of the functionality requirements is met. The motivation is that having predetermined criteria will help to automate the process of report generation, because using a set of predefined rules to determine which report is created and when each report is created will prevent the user from having to figure out which report is required for different file erasures.

10. Regarding claim 11, Kung and Hosokawa et al discloses the methods and devices described above. Kung does not disclose, "wherein the predetermined criteria can be set via a report setup interface." Hosokawa et al discloses in figure 1, an External Interface unit [5] connected to a Host Computer [8]. Hosokawa et al further teaches in column 1, lines 57-62, "An object of the present invention is to provide a communication system and a communication apparatus which is connectable with an external device such as a host computer, and which performs data communication with another communication apparatus, and a communication control method for controlling the communication." Using the broadest reasonable interpretation, External Interface Unit [5], connected to a Host Computer [8] could be a type of report setup interface. Therefore, it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the predetermined criteria can be set via a user interface. The benefit is that a user interface allows a user, like a system administrator, to have easy access and change criteria as needed.

11. Regarding claims 13, 14 and 15 Kung and Hosokawa et al discloses the methods and devices described above. Kung does not disclose, "further including at least one graphical user interface (GUI) element of the report setup interface with which a user can set parameters of the predetermined criteria with which the report generator can create a report, wherein the at least one GUI element includes a button, and wherein the at least one GUI element includes a virtual keyboard with which a user enters a value of a parameter." Hosokawa et al discloses in figure 1, a Host Computer [8], connected to an External Interface



Unit [5]. Using the broadest reasonable interpretation, The Interface Unit and Host Computer could be generating a graphical user interface that includes at least one button, and a virtual keyboard. Therefore, it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the report setup interface is a graphical user interface, with a button and virtual keyboard.

12. Regarding claim 18 and 24 Kung and Hosokawa et al discloses the methods and devices described above. Kung does not disclose, "wherein the report setup interface includes a destination element indicative of where the report should be sent." Hosokawa et al discloses above, in figure 1, and External interface Unit [5], a Communication Controller [7], a Communication Line [11], and a Bus [4] that connects said components. Using the broadest reasonable interpretation, the External Interface would be able to communicate via the Bus [4] a Communication Controller [7], to determine where reports should be sent. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a setup interface that where an element determines where the report should be sent. The motivation is that the different report types may need to be sent to different people; this feature allows the user to setup beforehand which reports are sent to whom.

13. Regarding claim 20 Kung and Hosokawa et al discloses the methods and devices described above. Kung does not disclose, "further including an input apparatus and wherein the report setup interface is accessed via the input apparatus." Hosokawa et al discloses in figure 1, an External Interface Unit [5]

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and a Host computer [8]. Using the broadest reasonable interpretation, these components would allow the report interface to be accessed via an input apparatus. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device that has an input apparatus to access the report setup interface. The motivation is that this will allow the system administrator to set up reports on the device itself, which will eliminate the need for individual users to have to setup reports, and also avoids the need for a network since all modification can be done on the device.

14. Regarding claim 21 Kung and Hosokawa et al discloses the methods and devices described above. Kung does not disclose, "wherein the report setup interface is accessed via driver software on a computer in communication with the device." Hosokawa et al discloses in figure 1, a Communication Controller [7] and a Communication Line [11]. Using the broadest reasonable interpretation, as is known in the art; a communication line can be connected to a computer in a similar fashion as the Host Computer [8]. These components would allow the report interface to be accessed via driver software on a computer in communication with the device that is not directly connected to the device. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device that has a communication method to allow a computers to be connected via driver software to said device to access said report interface. The benefit is that this provides maximum utilization of the system resources because it allows the administrator, who in the previous claim was going to modify the report interface on the device, to also modify the device

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to setup the report through a network or other communication line. Providing remote access will allow the system administrator to modify settings either remotely or on the device.

15. Regarding claim 25, Kung and Hosokawa et al disclose the methods and devices described above, specifically the claims of 1, 12, and 16-21. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art create an apparatus with a storage medium, that provides secure data erasure, that determines when and where to send a report, based on predetermined criteria. The motivation is that these features provide a method for generating documents about a secure data erasure since information is not recoverable in a secure data erasure. These reports stand as evidence about a secure erasure by providing some basic information such as, who initiated the erasure, who received confirmation, and what type of report was generated.

16. Regarding claim 26, Kung and Hosokawa et al disclose the methods and devices described above. Kung does not disclose, "wherein the report is to be printed on a substrate, the apparatus further performing: checking where the report should be printed; printing the report at the apparatus if the apparatus is the destination; and printing the report on another device when another device is the destination." Hosokawa et al disclosed the devices and methods in claims 2, 3, 4, and 18. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device that prints the report either at the device or at another device specified by the destination as was set up by the report setup feature. The motivation is that this allows greater flexibility in the

printing of the reports as either the apparatus is able to print the report or it can be sent to another device.

17. Regarding claim 27, Kung and Hosokawa et al discloses the methods and devices described above, specifically in claim 5 and claim 18. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device that can send an e-mail to the designated address as specified in the report setup interface. The motivation is that this allows an administrator to specify the e-mail address of people who will receive a report. The benefit is that this information is set up in the interface prior to any erasure, thus eliminating the need to constantly identify an email address of people who need copies of said report.

18. Regarding claim 28, Kung and Hosokawa et al discloses the methods and devices described above. Kung does not disclose, "wherein the report is to be a log entry and the apparatus further performs writing the entry in a log file specified via the report setup interface." Hosokawa et al discloses in figure 1 Communication Memory [3]. Using the broadest reasonable interpretation, the Communication Memory could be used to store reports that were generated as log files. Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create an apparatus that that perform writing an entry into a log file as specified in the setup interface. The motivation is that this allows an administrator to specify a location of the log file report. The benefit is that this log file information location is set up in the interface prior to any secure data

erasures, thus eliminating the need to constantly define the location of said log file.

19. Claim 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung and Hosokawa et al in view of Trusheim et al.

20. Regarding claim 6, Kung and Hosokawa et al discloses the methods described above. Kung and Hosokawa do not disclose a method wherein the email is sent to the system administrator. Trusheim et al discloses in column 11, 13-15; "and to automatically generate notifications for alerting a Case Manager or System Administrator." Using the broadest reasonable interpretation, "the notification for alerting a case manager or System administrator," could an e-mail message. Thus, it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the report created by the report generator is an e-mail message that is sent to a system administrator. The motivation is that because the system administrator is in charge of the software, and possibly the hardware, associated with a computer system and it is important that he be notified of any and all changes to components of the system he is responsible for maintaining.

21. Regarding claims 9 and 19, Kung and Hosokawa et al discloses the methods and devices described above. Kung and Hosokawa et al do not disclose, "wherein the report generator is configurable by an administrator only" nor do they disclose, "wherein the report setup interface is accessible by an administrator only." Trusheim et al discloses in column 18, lines 12-15; "while a System Administrator is intended to monitor the general operations of the entire

system and therefore requires access to all data on the system.” With respect to claim 9, using the broadest reasonable interpretation of the phrase, “monitor the general operations of the entire system”; the configuration of an erasure report would fall under the responsibilities of the system administrator. Hence, it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the report is configurable on by the system administrator. The motivation is that it is common for a system administrator to be responsible for the maintenance of an entire system to prevent unnecessary personnel from making modifications to particular system.

22. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kung and Hosokawa et al in view Satoh. Kung and Hosokawa et al discloses the methods described above. Kung and Hosokawa et al do not disclose a method wherein the report is a sound. Satoh discloses in column 8, lines 2-4; “This notification includes an alarm (sound) notification as well as the above display notification.” Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the report generated is a sound. The motivation is that the sound will provide an audio alert to notify the user that the erasure has occurred, which avoids the need for a visual or text based notification. This audio notification will also provide a report for users who are visually impaired.

23. Claims 16, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung and Hosokawa et al in view of McGovern et al. Kung and Hosokawa et al discloses the methods described above, but do not disclose,

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“wherein the report setup interface includes a report element indicative of , whether a report should be created” and, “wherein the report setup interface includes a type element indicative of what type of report should be created.” McGovern et al discloses in column 3, lines 50-56, “The system stores information necessary to support the predictive resource planning processes into a repository of data such as a relational database, searches and compares that data, selects candidates based on criteria, provides information necessary to equate re-skilling needs with training courses available, and creates individual development plans as well as a variety of reports.” Using the broadest reasonable interpretation, the predictive resource planning, would be an “element indicative of whether a report should be created.” Also a “variety of reports” could be an “element indicative of what type of report should be created.” Therefore it would have been obvious at the time of invention to one of ordinary skill in the art to create a device wherein the report interface setup includes and element to determine whether a report should be created and what type of report needs to be created. The motivation is that using the predictive software will allow a user to set whether a report needs to be generated for a particular erasure action, and why type of report needs to be generated; either email, printout, audio sound or a combination thereof.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ainsbury et al discloses, "(1) Data Retrieval, which provides a sophisticated catalog for finding internal and external information and collection agents which retrieve specific information without user intervention; (2) Data Classification and Storage which handles the storage of the information once it has been gathered from a source; (3) Information Browsing, Query, Analysis, and Report Creation which provides information browsing, reporting, and analysis tools; and (4) Desktop Integration where the information platform takes information from a wide variety of formats (HTML, text, spreadsheet) and combines them all into a single format (HTML, text, spreadsheet)."

Morrison et al discloses, "A system and method is provided for scheduling data collection sessions between a collection computer and one or more computerized branch exchanges (CBXs)."

Starek et al discloses, "A method and apparatus are provided that enhance file system calls to a file system structure of an operating system. In particular, file system calls can be enhanced to provide real-time secure file deletion on an ongoing basis."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Carbonello whose telephone number is (571) 272-0625. The examiner can normally be reached on Mon- Fri between 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The



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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Carbonello  
Examiner  
Art Unit 2622

MJC

JOSEPH R. POKRZYWA  
PRIMARY EXAMINER  
ART UNIT 2622

